

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

YASSIN YUSUF (29)
ABDULLAHI HASHI (11)

)
)
) No. 3:10-00260
) JUDGE HAYNES
)

MOTION TO ALLOW COUNSEL TO QUESTION THE CASE AGENT HEATHER WEYKER UNDER OATH REGARDING RECORDED STATEMENTS MADE BY GOVERNMENT WITNESSES ("VICTIMS") NOT PROVIDED TO DEFENDANTS IN VIOLATION OF THIS COURT'S ORDERS

Come now the Defendants Yassin Yusuf and Abdullahi Hashi, through counsel, and respectfully moves this Honorable Court to allow them to question the case agent, Heather Weyker, under oath on Thursday March 29, 2012 regarding recorded statements made by Government witnesses ("victims") not provided to the Defendants in violation of this Court's Orders. In addition, the Defendants are requesting to be allowed to inquire about the Jane Doe Two recordings. In support of this motion counsel would show as follows:

1. The Government has given notice, that other than the stated recordings contained in the Notice, that "[t]here are no further recordings made by or in the possession of the United States in relation to Jane Doe Two." (D.E. # 2141). The statement, however, may have been modified by a prior sentence that reads, "There is one further phone call that was recorded on the phone provided to Jane Doe Two for this purpose." The Government now maintains that it was only a nine second call with an automated message that was the non-pertinent call. "The United States did not consider this call to be pertinent to the

DENIED
The motion to question is DENIED, but the United States shall produce records of all calls to this phone for try since Jane Doe 2 had this telephone.
File 3-29-12